

Ann A. Hull, Esq. SBN: 252855  
Hannah J. Robinson, Esq. SBN: 304481  
LAW OFFICES OF ANN A. HULL, INC.  
21900 Burbank Blvd., Third Floor  
Woodland Hills, CA 91367  
Telephone: (818) 606-6618  
Facsimile: (818) 322-1321

Attorney for Plaintiff, ROYA SAGHAFI

**FILED**  
Superior Court of California  
County of Los Angeles

JUN 01 2018

Sherri R. Carter, Executive Officer/Clerk of Court  
By Glorietta Robinson, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

ROYA SAGHAFI, an individual,  
Plaintiff,

v.

PALISADES CHARTER HIGH SCHOOL,  
a corporation; AMY NGUYEN, an  
individual; and DOES 1 through 10,  
Defendants

Case No.:

**BC 7 0 8 4 9 7**

Filed:

Judge:

Department:

**JURY TRIAL DEMANDED**

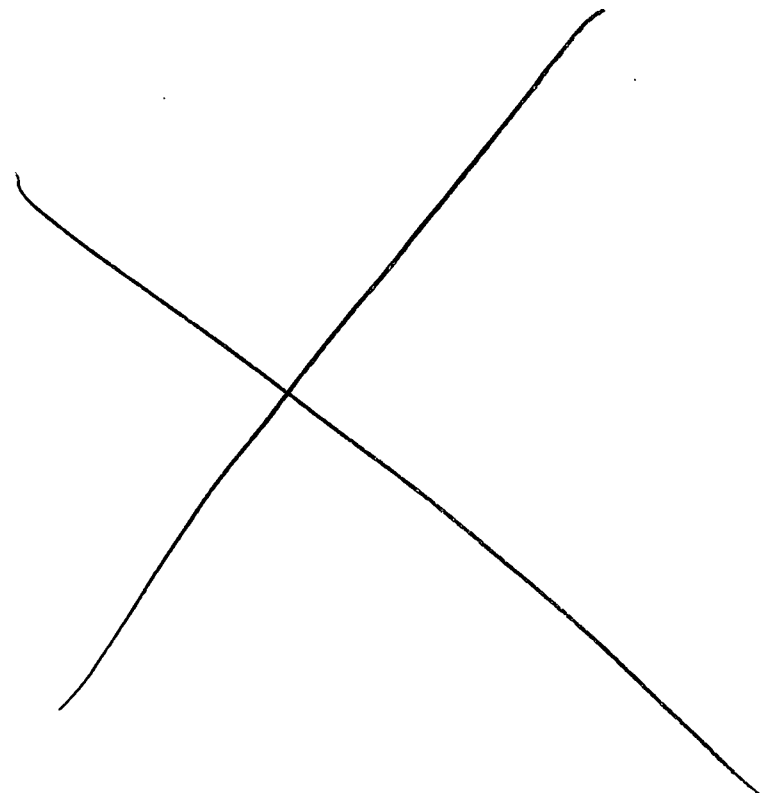
**COMPLAINT FOR:**

- (1) Intentional Infliction of Emotional Distress;
- (2) Defamation per se;
- (3) Hostile Work Environment Harassment in Violation of the FEHA;
- (4) Retaliation in Violation of Public Policy (FEHA);
- (5) Failure to Provide Timely Access to Employee Payroll and Personnel Records;
- (6) Disparate Treatment (Discrimination) (FEHA); and,
- (7) Failure to Prevent Harassment, Discrimination or Retaliation in Violation of the FEHA.

CIT/CASE: BC708497  
LEA/DEF#:

RECEIPT #: CCH505376030  
DATE PAID: 06/04/18 10:33 AM  
PAYMENT: \$435.00 310  
RECEIVED:

CHECK: \$435.00  
CASH: \$0.00  
CHANGE: \$0.00  
CARD: \$0.00



17

06/04/2018

## **STATEMENT OF THE CASE**

1  
2 1. This is an action by ROYA SAGHAFI ("Plaintiff" or "Ms. Saghafi"), an  
3 individual. PALISADES CHARTER HIGH SCHOOL ("Pali High" and "Defendant") is a  
4 corporation that operates a high school. Plaintiff is seeking damages resulting from  
5 Defendants' intentional, wrongful, deceptive, retaliatory, and malicious conduct.

## **PROTECTED STATUS**

6 2. Ms. Saghafi, is over 40 years of age, female, Muslim, and from Iran.

## **FACTS COMMON TO ALL CAUSES OF ACTION**

8  
9 3. At all times relevant to this complaint, Ms. Saghafi was an excellent  
10 science teacher and was qualified to perform her job duties.

11 4. Ms. Saghafi began teaching at Palisades Charter High School in 2002.

12 5. At the end of the business day, on the Friday before the Labor Day  
13 weekend in 2002, Ms. Saghafi was given the key to the classroom where she was  
14 scheduled to teach for the first time. Upon entering the classroom, Ms. Saghafi was  
15 surprised to see that it appeared that several dumpsters had been emptied into the  
16 classroom and that the floor, desks, chairs, and counters were covered with trash and  
17 dirt. Ms. Saghafi attempted to contact the school's officials upon seeing the condition of  
18 the classroom, but received no response. For the next three days, Ms. Saghafi and her  
19 mother cleaned the classroom so that it would be ready for students on the following  
Tuesday when classes were set to begin.

20 6. Ray Milette, a teacher, commented to Ms. Atlas, the Assistant Principal,  
21 who had provided the key to Ms. Saghafi, that Ms. Saghafi must have really needed the  
22 job to have returned after seeing the condition of her classroom.

23 7. Upon starting work, Ms. Saghafi observed that she was being shunned,  
24 ignored, treated rudely and in a less favorable manner than others were treated by  
school employees.

25 8. Mr. Engleman, the Chairman of the Science Department, held a party at  
26 for the department and invited everyone in the Science Department except Ms. Saghafi.

1           9.     Only one science teacher, Mr. Cooper, would say "hi," or respond when  
2 Ms. Saghafi said hello. Ms. Saghafi observed that Mr. Cooper was treated adversely by  
3 school employees after he was seen speaking to Ms. Saghafi.

4           10.    On repeated occasions, members of the faculty and administration  
5 communicated that Ms. Saghafi did not fit in because she was Iranian and Muslim.<sup>1</sup>

6           11.    Although termination notices at Pali High are usually issued before March  
7 15th, three weeks before the end of the 2003/2004 academic year, Ms. Saghafi and Mr.  
8 Cooper were both issued notices of termination on the grounds of not having "cleared  
9 your credentials." Both teachers were told that, if they were able to clear their  
10 credentials within three weeks, which normally would not have been possible, they  
11 would be given "the opportunity to interview for their jobs with a panel." Teachers in a  
12 similar position were not subjected to the requirements placed on Ms. Saghafi and Mr.  
13 Cooper.

14           12.    At considerable expense, Ms. Saghafi completed a needed class, paid for  
15 an expedited transcript, interviewed with a panel, and was treated as if she was a new  
16 employee. After presenting recommendation letters from parents of students, and from  
17 colleagues, along with the transcript, Ms. Saghafi was reinstated.<sup>2</sup>

18           13.    Unlike other teachers at Pali High, Ms. Saghafi was not provided with a  
19 cabinet or drawer in which to place student work or her own class plans.

20           14.    Unlike other teachers, Ms. Saghafi was not allowed to sit and eat her  
21 lunch in the class rooms where she taught.

22           15.    Following an injury to Ms. Saghafi's knee, Pali High scheduled meetings at  
23 a location where Ms. Saghafi was unable to attend. Despite her request, Pali High  
24 made no attempt to move the location of the meetings.

25  
26 <sup>1</sup> Ms. Saghafi is informed and believes that several other Iranians were employed at the  
27 school, but none of them were Muslim.

28 <sup>2</sup> Ms. Saghafi was told that Mr. Cooper's paperwork had been "lost" and that he had not  
29 been rehired.

16. While teachers were normally assigned permanent classrooms based on seniority, Ms. Saghafi was not assigned a permanent classroom. Teachers with less experience than Ms. Saghafi were assigned permanent classrooms.

17. After Ms. Saghafi became tenured, Pali High's administrators told Ms. Saghafi that new teachers receive the best classroom assignments.

18. After communicating that she preferred teaching Chemistry or Physics, Ms. Saghafi was demoted to teaching Integrated Science.

19. Despite her seniority, Ms. Saghafi was repeatedly denied an auxiliary class, despite requesting one.

20. Eventually, when Ms. Saghafi was given a permanent classroom, she was given Room F203, which was the size of a special education classroom and accommodated only around 18 students, even though she was assigned between about 30 and 36 students. Ms. Saghafi remained in Room F203 for a number of years, despite repeatedly requesting a bigger classroom, and even though teachers with less seniority were assigned better classrooms.

21. In or about 2011 or 2012, after Dr. Magee became the school principle, Ms. Saghafi communicated that she looked forward to working with Dr. Magee. Ms. Saghafi also mentioned that she was concerned also about the bullying of minority students at the school.

22. After sharing with Dr. Magee that she believed that she had also been subjected to discrimination, Dr. Magee began referring to Ms. Saghafi as "Germaphobe" and publicly berated Ms. Saghafi for using a tissue to open door handles.

23. In 2012, Ms. Saghafi requested a different classroom after a teacher disclosed that one was becoming available. Again, in about June of 2013, Ms. Saghafi learned that Room G101 was becoming available, and Ms. Saghafi requested it. As a science teacher, Room G101 was desirable because it had a sink, which was needed for some lab assignments.

24. After requesting Room G101, Dr. Magee, ordered Ms. Saghafi to provide a list of all of the labs she intended to teach. Other science teachers were not required to provide a list of the labs they planned in order to be assigned to a room with a sink.

25. Around the time when Ms. Saghafi was requesting to be assigned to Room G101, Dr. Magee approached Ms. Saghafi and stated she'd received complaints and was told by unnamed third persons that Ms. Saghafi had told people she had a disability that prevented her from doing her job. Ms. Saghafi responded that the accusation was not true.

26. Ms. Magee accused Ms. Saghafi of requesting a classroom with a sink so that she could wash her hands when she wanted.

27. Ms. Magee stated that, if Ms. Saghafi wanted Room G101, she should ask the doctor to write a note that stated that Ms. Saghafi needed a classroom with a sink because she had Obsessive Compulsive Disorder ("OCD").

28. After continuing to complain about the unfair treatment, and after refusing to get a note from a doctor, Ms. Saghafi was eventually assigned Room G101.

29. About two weeks after the academic year had started, Mr. Howard entered Ms. Saghafi's classroom while class was in session, ordered her to come to a meeting that would begin in 15 to 20 minutes, and to bring a witness.

30. During the meeting Dr. Magee and Ms. Bush (the director of Special Education and AP) were present. Dr. Magee started the meeting by stating she had heard that Ms. Saghafi had caught several students of cheating and that the students who had been accused, do not cheat. Ms. Saghafi responded that she had caught three students copying other students' papers, which she considered to be cheating, and had given them a verbal warning. Ms. Saghafi reminded Dr. Magee that she had recently received an email from Dr. Magee, in which Dr. Magee specifically expressed that teachers were allowing too many students to cheat and that it needed to end.

31. Ms. Saghafi stated she was surprised that Dr. Magee was supporting the students who had cheated, instead of herself.

32. Ms. Bush then stated that she considered Ms. Saghafi to be a "danger" to students, due to Ms. Saghafi's practice of standing away from the students and not touching students.

33. Ms. Saghafi was so emotionally distraught after the meeting that she became physically ill and consulted her doctor.

34. On repeated occasions, administrators who worked at Palisades Charter High School communicated that they were concerned about Ms. Saghafi teaching because she was Iranian and Muslim.

35. Unlike other teachers, Ms. Saghafi was required to undergo yearly evaluations during which other teachers and aids were sent to watch Ms. Saghafi teach. Ms. Saghafi regards the yearly evaluations as being motivated by discrimination and by Pali High's intent to make her feel uncomfortable and to encourage her to quit.

36. Ms. Atlas, the Assistant Principle in charge of Science, told Ms. Saghafi that her sister believed that all Iranians should be bombed and killed.

37. Ms. Atlas told Ms. Saghafi that she knew that the Science Department was not treating Ms. Saghafi with respect, and if Ms. Saghafi did not feel comfortable, Ms. Saghafi should look for another place to teach.

38. In or about the spring of 2014, Ms. Saghafi's photo was placed on social media along with comments that she was a "prostitute," "nigger," "alien," and that she should go back to Iran. When Ms. Saghafi communicated with colleagues that she suspected that people from the photography class were behind the offensive posts, and was upset about them, Ms. Saghafi was advised to not make a "big deal" about it.

39. On Friday, November 7, 2014, before lunch, Ms. Saghafi was teaching her class when she heard the click of a camera. Ms. Saghafi looked up and saw two girls with cameras facing in Ms. Saghafi's direction. The girls were accompanied by others.

40. Ms. Saghafi asked the name of the closest girl.

41. After the girl refused to give her name, Ms. Saghafi asked for the camera so that she could have it checked by the photography teacher. The girl handed Ms. Saghafi the camera.

42. When Ms. Saghafi asked for the second girl's camera, instead of cooperating, the girl made rude and disrespectful comments, which the class heard.

43. Ms. Saghafi phoned the Dean's Office. Mr. Buckman picked up the phone. Ms. Saghafi informed Mr. Buckman that a girl was being disruptive and asked him to come to the classroom.

1 44. When Mr. Buckman arrived, the photography students were outside of the  
2 door of the classroom, with their cell phones pointed at Ms. Saghafi. Ms. Saghafi asked  
3 the students to put their phones away. Ms. Saghafi's class was in session.

4 45. After explaining that she wanted the remaining camera so that it could be  
5 checked by the photography teacher, Mr. Buckman obtained the second camera and  
6 handed it to Ms. Saghafi.

7 46. While Ms. Saghafi was holding the straps of the two cameras, Mr. Steil,  
8 the photography teacher, whom Ms. Saghafi had not met, and who is much taller than  
9 Ms. Saghafi, abruptly entered Ms. Saghafi's classroom without identifying himself. Mr.  
Steil forcefully grabbed Ms. Saghafi's upper arms so hard that she feared for her safety.

10 47. Frightened, Ms. Saghafi said, "Who are you?"

11 48. Mr. Steil yelled, "What are you going to do about it? Refer me to the  
12 dean?!" He then laughed.

13 49. Mr. Steil then he pressed on Ms. Saghafi's wrists and pried open her  
14 hands and fingers to obtain the cameras.

15 50. Ms. Saghafi shook and cried following the incident.

16 51. After regaining her composure, Ms. Saghafi phoned Jim Shiffman ("Mr.  
17 Shiffman") and Russell Howard ("Mr. Howard") and reported the assault. Mr. Howard,  
18 along with Dean Loftus, subsequently came to Ms. Saghafi's classroom during the  
lunch period and asked if any students had seen anything.

19 52. After lunch was over, Mr. Howard asked Ms. Saghafi to email a report  
20 about the incident as soon as possible.

21 53. Ms. Saghafi rushed to write the email and entitled it "Complaint of  
22 Harassment and Assault."

23 54. During 7<sup>th</sup> period, Mr. Shiffman entered Ms. Saghafi's class room and told  
24 Ms. Saghafi that she should not have filed a complaint. Ms. Saghafi explained that Mr.  
25 Howard had asked her for the report.

26 55. Ms. Saghafi was wearing a heavy long-sleeved jacket at the time of the  
incident and did not immediately realize that Mr. Steil had left bruise marks on her arms.



1           56. On or about Saturday, November 8, 2014, Ms. Saghafi sent pictures of the  
2 bruises on her arms to Mr. Howard and Mr. Schiffman. [See: Exhibit "1."].

3           57. On Monday, November 10, 2014, while in class, Mr. Shiffman came into  
4 Ms. Saghafi's classroom, had her go to the doorway, and instructed her to roll up her  
5 sleeves to show him her bruises.<sup>3</sup>

6           58. Later, during 7<sup>th</sup> period the same day, when Ms. Saghafi did not have a  
7 class, Ms. Shiffman and Mr. Howard came to Ms. Saghafi's classroom and escorted her  
8 to Mr. Howard's office, where she was asked to tell them everything that had happened.  
9 Mr. Howard asked Ms. Saghafi why she had not mentioned the bruises to her arms in  
10 the email on Friday, November 7, 2014, on the day of the incident.

11           59. On or about December 1, 2014, Chris Lee (who is not Iranian) announced  
12 over the school intercom that the Iranian Club was scheduled to meet the next day in  
13 Ms. Saghafi's classroom. He stated, "It will be DIVOONEH there tomorrow." The word  
14 "Divooneh" is a word in the Farsi language which refers to a seriously mentally ill person  
15 who should be institutionalized. Ms. Saghafi regarded the message as an insult  
16 directed at herself.

17           60. On or about Monday, December 1, 2014, after Ms. Saghafi continued to  
18 be subjected to bullying and realized that the school had taken no appropriate  
19 responsive action, Ms. Saghafi reported the assault to the police.

20           61. In a meeting on Wednesday, December 3, 2014, two days after reporting  
21 the incident to the police, Ms. Saghafi was presented with a written disciplinary warning  
22 which she was asked to sign and was told would be placed in her personnel file. After  
23 reading the letter, Ms. Saghafi stated that the letter's contents were not truthful and  
24 refused to sign it.

25           62. On December 19, 2014, a meeting was held to discuss Ms. Saghafi's  
26 allegations.<sup>4</sup>

27 <sup>3</sup> Pictures of Ms. Saghafi's bruises are attached hereto as Exhibit "1."

28 <sup>4</sup> Ms. Saghafi was later told that the purpose of the meeting to force Ms. Saghafi to  
29 withdraw and "rip up" her complaint, or to rewrite it with facts that were favorable to the  
30 school.

63. After the meeting, Ms. Saghafi repeatedly complained that the school had not taken her complaint seriously and was also not taking reasonable steps to protect students who were bullied due to being perceived as LGBTQ or as members of disfavored races or groups, Ms. Saghafi was subjected to rude and demeaning comments based on her race, national origin, and perceived religion.

64. During the spring semester, while in her classroom, Mr. Howard commented that Ms. Saghafi was "like Howard Hughes" because "she has OCD." Ms. Saghafi was offended by the comment.

**Discrimination, Harassment, and Bullying Escalates (2016/2017)**

65. Ms. Saghafi contacted school officials and requested the formation of a committee of students, parents, and teachers to address the ongoing bullying, harassment, and discrimination against disfavored minorities at the school. School officials refused to form such a committee, or to acknowledge that the school had a problem with racism, harassment, and/or bullying on the campus.

66. In March of 2016, two students were arrested for vandalizing the campus of Pali High.<sup>5</sup> The vandalism included references to the Ku Klux Klan, African Americans, and LGBT people. The incident was widely reported on local news.

67. Dr. Magee, when addressing the public, communicated that the incident was an isolated occurrence, that the school did not have a problem with hate or discrimination, and that there was no threat.

68. Ms. Saghafi was assigned to teach Chemistry during the 2016/2017 school year.

69. In the Spring of 2016, Ms. Saghafi asked the Human Resources office and the Assistant Principal, Jeff Hartman ("Mr. Hartman") if she needed to do anything concerning her credentials or qualifications. No response was given.

70. Later, during the summer, in or about August of 2016, Sophia Chock evaluated Ms. Saghafi's transcripts and stated that Ms. Saghafi met "House Rules" and was allowed to teach. Mr. Hartman signed off.

<sup>5</sup> <http://www.latimes.com/local/lanow/la-me-ln-arrests-racist-graffiti-palisades-charter-school-20160315-story.html>

1 71. After classes started in the fall of 2016, Amy Nguyen ("Ms. Nguyen") in the  
2 Human Resources Department, without any prior warning, told Ms. Saghafi that, unless  
3 Ms. Saghafi submitted additional credentials, Ms. Nguyen intended to take Ms.  
4 Saghafi's classes away.

5 72. Ms. Saghafi communicated that she had contacted the University of New  
6 Haven to obtain the requested documents, but that university was not yet open because  
7 their academic year had not yet begun. Ms. Nguyen replied that she was aware that  
8 there were "obstacles," but that she did not care and planned to take the classes away.

9 73. Ms. Saghafi, fearing for her job, contacted Mr. Shiffman<sup>6</sup> for his  
10 assistance.

11 74. Sophia Chock informed Ms. Saghafi that there were teachers at Pali High  
12 that have been teaching under "House Rule" credentials for years and that she did not  
13 understand why Ms. Saghafi was treated differently than the other teachers.

14 75. In the Spring of 2017, after Pali High settled Ms. Saghafi's Workers'  
15 Compensation claim, which stemmed from classroom assault in 2014, Ms. Nguyen  
16 intentionally humiliated Ms. Saghafi when she entered Ms. Saghafi's classroom and  
17 announced that a "full-time substitute teacher" was being placed in the classroom when  
18 Ms. Saghafi taught.

19 76. Ms. Saghafi regarded Ms. Nguyen's placement of the second teacher in  
20 her classroom, as being made with the intent to humiliate Ms. Saghafi and to pressure  
21 her to quit her job. Ms. Saghafi claims that such actions were motivated by her filing of  
22 a Workers Compensation claim, and for complaining about discrimination and bullying  
23 at the school, for suggesting a committee to address such issues, and in retaliation for  
24 engaging in such protected actions.

25 77. In or about June of 2017, a 15-year-old African-American student reported  
26 seeing a picture of herself with a noose around her neck in the Chemistry Chat Room

<sup>6</sup> Mr. Shiffman is now retired.

for Palisades Charter High School.<sup>7</sup> The incident was widely reported on television news.

78. Despite the knowledge by school officials that abusive language and conduct was routinely directed at Muslims, including Ms. Saghafi, such conduct was ignored. Dr. Magee stated that the noose incident was an isolated occurrence and that the school had no problems with racism or discrimination.

79. Following news coverage about the noose incident, an open meeting was held in Pali High's cafeteria. During the meeting, which addressed the harassment of the African-American student, Ms. Kuper stated that she had heard worse statements at the school about the Muslims on campus.

80. On June 21, 2017, at 1:33 PM, Dr. Magee emailed the school's faculty regarding: "Hate incident follow up and next steps." The email invited faculty members to "share relevant experiences and provide input" for the purpose of developing new policies and procedures. The email promised that all responses would be anonymous.

81. On June 22, 2017, at 2:21 PM, Ms. Saghafi responded: "I have felt being the subject of hate myself for the longest time here specifically at Pali. It has made me feel I wish I was never born.<sup>8</sup> Pali has been one of the very worst places I have seen in terms of cruel judgments hate, stereotyping and considering that certain people (based on age, country of origin, religion, political view, certain disability, gender, how one talks whether from language or disability)." In the same email, Ms. Saghafi stated: "until one has been the subject of hate themselves, they would not understand or feel or know how bad it is and how hurtful and damaging it is and even how to go about resolving and solving it." Ms. Saghafi closed the email by recommending that the school contact Barry Pogorel, who had done consulting work with UCLA, USC, and reputable corporations, concerning the abatement of discrimination.

<sup>7</sup> <http://www.latimes.com/local/lanow/la-me-ln-arrests-racist-graffiti-palisades-charter-school-20160315-story.html>

<sup>8</sup> It is noted that Ms. Saghafi's native language is Farsi. Scholarly writings address multiple problems that occur in translating Farsi to English. These problems include lexical ambiguity, incorrect translation of idioms.

1 82. On June 22, 2017, at 5:14 PM, Dr. Magee acknowledged receiving Ms.  
2 Saghafi's email and responded: "While as you said, I can't completely understand how  
3 you have been made to feel, I can offer empathy. I also want to make sure that there  
4 are no incidents that have gone unaddressed by Human Resources, the Dean's Office,  
5 or your department administrator. Please let me know if you have experienced an  
6 incident related to Pali that needs to be addressed."

7 83. Ms. Saghafi had previously communicated to the Assistant Principal that a  
8 student had told one of her Muslim and Iranian students: "You Iranians are terrorists  
9 and live in mud houses." After the Assistant Principal had ignored the report, Ms.  
10 Saghafi had reported the same incident to Dr. Magee, who also took no action.

11 84. Following the noose incident, Ms. Saghafi communicated that she was  
12 tired of being subjected to discrimination, harassment, and hate, and that she worried  
13 that students who were regarded as not fitting in due to their race, color, or sexual  
14 orientation, were being treated less favorably than others, and that complaints about  
15 such treatment were ignored and were not welcomed by the administration. Ms.  
16 Saghafi communicated that, because these issues being ignored, she was prepared to  
17 speak openly about these issues herself.

18 85. On the afternoon of June 23, 2017, Ms. Saghafi opened the door of her  
19 home to find police at her doorstep. Officer Acurin and Officer Costales asked Ms.  
20 Saghafi if she knew a person named Amy Nguyen ("Ms. Nguyen"). Ms. Saghafi  
21 responded "yes" and stated that Ms. Nguyen was Pali High's Human Resource  
22 Manager. The officers then informed Ms. Saghafi that Ms. Nguyen had reported Ms.  
23 Saghafi as being a "harm to herself or others" and had asked the police to make a  
24 report.

25 86. Ms. Saghafi regarded Ms. Nguyen's report to the police, which had  
26 prompted the officers' visit, as motivated by retaliation for communicating her intent to  
27 speak out about the bullying, discrimination, and harassment at Pali High.

28 87. Ms. Saghafi regarded Ms. Nguyen's report to the police as being made  
29 with intent to frighten her and to create a report that the school could later use to falsely  
30 claim that Ms. Saghafi was mentally ill and to terminate her.

1 88. After the police left Ms. Saghafi's home, Ms. Saghafi composed an email  
2 to Dr. Magee and wrote: "Every time, I have complained to the school, the school has  
3 turned around and made a case against me. The police were just here."

4 89. As 2017 progressed, Ms. Saghafi was subjected to increasing unfair  
5 scrutiny by Pali High employees for the purpose of finding an excuse to fire her.

6 90. Mr. Howard, Ms. Bush, Mr. Tomassi, and their friends actively encouraged  
7 students and parents to complain about Ms. Saghafi.<sup>9</sup>

8 91. Despite receiving many communications from parents who wanted to  
9 thank Ms. Saghafi for doing an outstanding job, when parents contacted the school to  
10 complain about a low grade, or after Ms. Saghafi verbally disciplined a student for  
11 disrupting the classroom, the school would side with the parents instead of asking Ms.  
12 Saghafi's perspective. School employees stated that they were keeping track of all  
13 complaints about Ms. Saghafi.

14 92. For most of her tenure, despite requesting to be assigned an auxiliary  
15 science class on repeated occasions, her request was denied most of the time while  
16 less-senior teachers who requested auxiliary classes, received them.

17 93. On August 20, 2017, Ms. Saghafi complained that she was being denied  
18 equal opportunity by not being assigned an extra class while a male was assigned two  
19 extra classes.

20 94. During the 2016/2017 academic school year, Ms. Saghafi raised a  
21 concern with Ms. Bush, Mr. Hartman, and Ms. Alba about a student who was repeatedly  
22 leaving her class and/or missing class. Ms. Saghafi asked if the student had any  
23 school-approved accommodations, and if so, the nature of the accommodations.

24 95. Ms. Saghafi communicated that she had checked the Infinite Campus  
25 System<sup>10</sup> and there was no indication of any accommodations. Ms. Saghafi stated that

26 <sup>9</sup> Note: The administration had also previously encouraged teachers, parents, and  
27 students to complain about Ms. Saghafi.

28 <sup>10</sup> The Infinite System is the technology by which the school monitors student  
29 attendance. The system usually indicates whether or not a student has school-  
30 approved accommodations, such as being allowed be absent for doctor appointments  
31 or for other accommodations.

1 she wanted to make sure that no accommodations were in place before speaking with  
2 the student about the student's attendance. Instead of responding appropriately to Ms.  
3 Saghafi, Ms. Bush (Director of Special Education), accused Ms. Saghafi of not knowing  
4 how to check the Infinite Campus System. Ms. Alba then referred to Ms. Saghafi as  
"incompetent" in front Ms. Bush, Mr. Hartman, and herself.

5 96. In 2016 and 2017, Carole Smith scheduled PLC meetings at times and  
6 places, usually upstairs, which made it difficult for Ms. Saghafi to attend. Ms. Smith  
7 scheduled the meetings at times during which Ms. Saghafi was not paid, and/or at a  
8 location which required her to walk, even though Ms. Smith was aware that Ms. Saghafi  
9 was recovering from a knee injury that made walking painful. Ms. Saghafi was initially  
10 afraid to complain in fear that her classes would be taken away. In the fall of 2017, after  
11 Ms. Smith began arriving late to early morning meetings, which required Ms. Saghafi to  
12 wait outside, sometimes in the cold, Ms. Saghafi complained and asked for the key to  
13 the storage area so that she could have a place to wait where it was not so cold. After  
14 Ms. Nguyen denied the request for the key, Ms. Saghafi asked if the meetings could be  
15 held during 7<sup>th</sup> period, when neither Ms. Saghafi, nor Ms. Smith had classes, both were  
16 required to be at school. Ms. Nguyen and Ms. Smith eventually agreed to have the  
meetings during 7<sup>th</sup> period.

17 97. In or about December of 2017, a school employee (who wishes to remain  
18 anonymous for this complaint) warned Ms. Saghafi that the school was trying to build a  
19 case to fire Ms. Saghafi and that her job was posted as available.

20 98. While other teachers came and left campus without being asked to explain  
21 what they were doing, Ms. Saghafi was asked to report any occasion when she left  
22 early, including when and why she went to the doctor. Other teachers were not asked  
23 to report details of their visits to their doctor.

24 99. On December 13, 2017, Ms. Saghafi was cold in her classroom. When  
25 Ms. Saghafi did not have a class, Ms. Saghafi took her laptop computer with her to her  
26 car and started the engine so that she could turn on the car's heater to get warm. Ms.  
Saghafi had no intention of leaving campus.

100. At 12:12 PM, on December 13, 2017, Delia Morales ("Ms. Morales") emailed Ms. Saghafi: "I saw you in the parking lot at 12:08. Were you leaving, or were you coming back? Please inform me." Ms. Morales' email was also copied to Ms. Nguyen, the Human Resources Director.

101. On December 14, 2017, Ms. Saghafi replied "NEITHER" and explained: "I was neither leaving nor coming back. I felt very cold at the time in my classroom when I had no class, so I wanted to sit in a warm area. It is interesting that I am under the microscope and everyone is supposed to spy on me and report on when other standards apply to others."

102. On December 20, 2017, Ms. Saghafi filed a Complaint of Discrimination with California's Department of Fair Employment and Housing and received a Right to Sue Letter.

103. On Thursday, December 21, 2017, Ms. Nguyen presented Ms. Saghafi with a letter and told her to leave the school and that she was being placed on administrative leave.

104. Ms. Nguyen stated that "there were some complaints about you this year and we have involved a third party, Shaw, who will contact you."

105. Ms. Nguyen told Ms. Saghafi to find a doctor and obtain a diagnosis of dyslexia, a hearing disorder, or another issue that prevented her from doing her job. Ms. Nguyen communicate that this was the only way for Ms. Saghafi to save her job.

106. Karen Perkins stated, "Roya. We both know that you don't have a disability. You are going to be fired."

107. Ms. Saghafi was subsequently contacted by the Shaw Institute on behalf of Pali High, who asked Ms. Saghafi to submit to a telephone conference for the purpose of an initial assessment of whether or not Ms. Saghafi had any disability or needed any accommodation.

108. On or about February 5, 2018, Ms. Saghafi spoke with Rachel Shaw ("Ms. Shaw") and explained that she did not have a disability and needed no accommodations other than for an elevator key, which had been provided to her in the past, following an accident in 2015. During communications, Ms. Saghafi was asked if



1 she had ever stated, "I don't want to live." Ms. Saghafi denied ever making any such  
2 statement. Ms. Saghafi, however, complained that she had been subjected to  
3 discrimination and harassment, as well as retaliation for complaining about her  
4 treatment by school employees and about the need to address the problem of bullying  
at Pali High.

5 109. In a letter dated February 23, 2018, Ms. Shaw wrote a letter to Ms.  
6 Saghafi and the school, advising that she "would notify the District of your concerns  
7 relating to your work environment and treatment." In the same letter, Ms. Shaw  
8 communicated that the school "will be contacting you directly regarding your return to  
9 work date. They also indicated that they would ensure that they respond to your  
10 concerns relating to your treatment and how you believe are regarded at work."

11 110. Ms. Shaw concluded that Ms. Saghafi did not have a disability requiring  
12 workplace accommodations and that she was closing the file.

13 111. As of the date of the filing of this complaint, no attempt had been made to  
14 return Ms. Saghafi to her job, or to address her complaints.

#### **PROTECTED ACTIVITIES**

15 112. Ms. Saghafi engaged in a protected activity when she:

16 (a) reported that she had suffered a knee injury;

17 (b) reported on or about November 7, 2014, that she was assaulted on  
18 campus by another teacher at Pali High;

19 (c) made a police report on or about December 1, 2014 (about the  
20 November 7, 2016, assault), after school officials took no appropriate action in  
21 response to her prior complaint;

22 (d) requested the formation of a committee to address bullying, racism and  
23 discrimination on campus and recommended that the school bring in an outside  
24 consultant to address the issues;

25 (e) filed a Workers Compensation claim;

26 (f); communicated in June of 2017, that, because the issues of racism,  
bullying, and harassment were not being addressed, that she was prepared to  
speak publicly about the problems;

1 (g) when she complained that she was being denied equal opportunity  
2 with regard to extra class assignments;

3 (h) when she filed a Complaint of Discrimination on December 20, 2017,  
4 with the Department of Fair Employment and Housing, and other things stated  
5 herein this complaint, and as will be discovered in the course of litigation.

6 **ADVERSE EMPLOYMENT ACTIONS**

7 113. Defendants subjected Ms. Saghafi to an adverse employment action  
8 when:

9 (a) Following an injury to her knee, Pali High scheduled meetings at a  
10 location at which Ms. Saghafi was not able to attend;

11 (b) When Pali High failed to investigate and take appropriate action  
12 against a teacher who assaulted Ms. Saghafi in a classroom on campus in 2014;

13 (c) When Pali High presented Ms. Saghafi with a disciplinary notice  
14 containing false statements two days after Ms. Saghafi reported the 2014 assault  
15 to the police;

16 (d) Various Pali High employees and administrators made demeaning  
17 comments about Ms. Saghafi's race, national origin, perceived religion, as well  
18 as insults about her allegedly being "OCD," among other things stated herein;

19 (e) Amy Nguyen threatened to take Ms. Saghafi's classes away;

20 (f) Pali High subjected Ms. Saghafi to different credentialing standards  
21 than other teachers;

22 (g) Following the settlement of Ms. Saghafi's Workers' Compensation  
23 Claim, in or about Spring of 2017, which stemmed from the 2014 assault, Ms.  
24 Nguyen entered Ms. Saghafi's classroom and announced that a "full-time  
25 substitute teacher" would be placed in the classroom while Ms. Saghafi was  
26 teaching;

(h) Following multiple news reports about incidents of hate, harassment,  
and bullying at Pali High, following Dr. Magee's statement that "no incidents have  
gone unaddressed," and following Ms. Saghafi's communication on June 22,  
2017, to Dr. Magee that these issues were not being addressed, that an outside

1 consultant was needed, Ms. Nguyen called in a report to the police that Ms.  
2 Saghafi was a "harm to herself or others," resulting in the police being called to  
3 Ms. Saghafi's home;

4 (i) Mr. Howard, Ms. Bush, Mr. Tomassi, and their friends actively  
5 encouraged students and parents to make complaints about Ms. Saghafi;

6 (j) When, in 2016 and 2017, Carol Smith scheduled PLC meetings at  
7 places (usually upstairs), which made it difficult for Ms. Saghafi to attend, and at  
8 times during when Ms. Saghafi was not paid;

9 (k) When Ms. Saghafi was subjected to undue scrutiny to which other  
10 teachers were not subjected;

11 (l) When Ms. Nguyen told Ms. Saghafi to leave the campus one day after  
12 Ms. Saghafi made a complaint to California's Department of Fair Employment  
13 and Housing;

14 (m) When Pali High failed to investigate Ms. Saghafi's complaints about  
15 discrimination and harassment;

16 (n) When Pali High has still not allowed Ms. Saghafi to return to her  
17 job, and other things stated herein this complaint, and as will be discovered in the  
18 course of litigation.

### 19 PRELIMINARY ALLEGATIONS

20 114. At all times herein, Plaintiff was a resident of the County of Los Angeles.

21 115. At all times herein Defendant, Palisades Charter High School, was a  
22 corporation doing business in the County of Los Angeles and located at: 15777  
23 Bowdoin Street, Pacific Palisades, CA 90272. The agent for service of process is:  
24 Paul Minney, 655 University Avenue, Suite 150, Sacramento, CA 95825.

25 116. Plaintiff is informed and believes that, all times herein Defendant, Amy  
26 Nguyen, was an individual living in and/or working in the County of Los Angeles and the  
27 State of California.

28 117. At all times relevant to Plaintiff's complaint, there existed an employer-  
29 employee relationship between Plaintiff and Palisades Charter High School. As a result  
30 of harm suffered by Plaintiff as described herein this complaint, she has suffered

damages in excess of the minimum jurisdiction of this court.

118. The true names and capacities of Defendants referred to herein as Does are unknown to Plaintiff at this time, and Plaintiff is informed and believes that they are in some way responsible for the damages incurred. Plaintiff will amend this Complaint to allege the true names and capacities when ascertained.

119. Plaintiff is informed and believes, and thereon alleges, that at all material times each Defendant and each Doe Defendant's actions and conduct were known to, authorized, and ratified by each other, and by their agents, inclusive.

120. Plaintiff is informed and thereon alleges that the Defendants knowingly and willfully conspired and agreed among themselves to do the acts herein alleged in furtherance of their conspiracy. Defendants furthered their conspiracy by cooperation, lending aid, encouragement, ratification, and adopting the acts of each other.

121. Plaintiff is informed and believes, and thereon alleges, that Defendants committed other wrongful acts or omissions of which Plaintiff is presently unaware. Such acts are ongoing and will continue after the filing of this action. Plaintiff will seek leave of court to amend this Complaint when Plaintiff discovers the other acts and omissions of such Defendants.

122. Prior to the filing of this lawsuit, Plaintiff exhausted her administrative remedies under the FEHA by filing a complaint of discrimination for which she received a right to sue letter.

### **FIRST CAUSE OF ACTION**

#### **Intentional Infliction of Emotional Distress (CACI VF- 1600)**

(by Plaintiff against Palisades Charter High School, Amy Nguyen,  
and DOES 1-10)

123. Plaintiff repeats and re-alleges all paragraphs of the preceding allegations herein and also incorporates said paragraphs as though set forth in full in this Cause of Action.

1           124. When Palisades Charter High School, Amy Nguyen, Does 1-10, and their  
2 agents and employees committed the acts described in this Complaint in the preceding  
3 paragraphs, they did so deliberately and intentionally to cause Plaintiff to suffer  
4 humiliation, mental anguish, physical harm, and emotional distress. The extreme and  
5 outrageous<sup>11</sup> nature of the above-mentioned conduct is amplified due to the abuse of  
6 their position, which gives actual, and apparent authority over the Plaintiff, such as is  
7 commonly found in employment and work relationships. Palisades Charter High  
8 School, Amy Nguyen, Does 1-10, and their agents and employees, inclusive, were  
9 aware that Plaintiff was relying on her employment for the wages she needed to support  
10 herself. Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and  
11 employees, were aware that mistreating Plaintiff, falsely communicating to the police  
12 that Plaintiff was a harm to herself or others, encouraging people to make complaints  
13 about Plaintiff, subjecting Plaintiff to undue scrutiny, and by removing Plaintiff from her  
14 classroom, and other things, according to proof, would cause Plaintiff to suffer extreme  
15 emotional distress and other consequential damages.

16           125. When Palisades Charter High School, Amy Nguyen, Does 1-10, and their  
17 agents and employees, inclusive, did the acts described in this Complaint, they knew  
18 that emotional distress would probably result from their conduct, and/or gave little  
19 thought to the probable effects of their conduct. The acts of Palisades Charter High  
20 School, Amy Nguyen, Does 1-10, and their agents and employees, and each of them,  
21 as described herein cannot be normally expected to occur in the workplace.

22           126. In acting as described above, while in positions of apparent authority over  
23 Plaintiff, Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and  
24 employees, inclusive, clearly stepped out of their proper role and used their position of  
25 authority to cause Plaintiff to suffer severe emotional distress, which she did suffer.

26  
27 <sup>11</sup> Whether a defendant's conduct was so outrageous or extreme as to support an IIED  
28 claim is ordinarily a triable issue of fact. KOVR-TV, Inc. v. Superior Court (1995) 31  
29 CA4th 1023.

127. The above acts of Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and employees, inclusive, constituted intentional infliction of emotional distress and such conduct of Defendants was a substantial factor in causing damage to Plaintiff.

128. As a proximate cause of the wrongful acts of Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and employees, inclusive, as stated herein, Plaintiff has suffered and seeks lost earning, attorney's fees, the costs of the suit, and compensation for the emotional distress and other general and special damages she suffered.

129. The actions of Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and employees, inclusive, were willful, reckless, and exhibited a conscious disregard of the rights of Plaintiff. Accordingly, Plaintiff is entitled to punitive damages, according to proof.

130. Plaintiff is informed and believes that one or more managing agent(s) with substantial discretionary authority over significant aspects of Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and employees, authorized, ratified, approved, and directly participated in the adverse treatment of Plaintiff and in doing so abused their position of power and was callously indifferent to Plaintiff's circumstances, such that the aforepleaded conduct constitutes malice, oppression, or fraud, thereby entitling Plaintiff to an award of punitive damages.

131. As a proximate result of the conduct of Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and employees, Plaintiff is entitled to lost earnings and other damages as set forth herein or in an amount according to proof at the time of trial.

132. Plaintiff has also incurred and continues to incur attorneys' fees and legal expenses in an amount according to proof at the time of trial.



1           142. Plaintiff claims that she was subjected to harassment based on her  
2 national origin and religion by Palisades Charter High School, causing a hostile or  
3 abusive work environment, as is stated herein this complaint.

4           143. Plaintiff was an employee of Palisades Charter High School.

5           140. Plaintiff was subjected to unwanted harassment because of her national  
6 origin, race, perceived origin, and age (Over 40).

7           141. The harassing conduct was severe or pervasive.

8           142. A reasonable person in Ms. Saghafi's circumstances would have  
9 considered the work environment to be hostile or abusive.

10          143. Ms. Saghafi considered the work environment to be hostile or abusive.

11          144. Ms. Saghafi's supervisors engaged in the conduct and/or knew or should  
12 have known about the conduct but failed to take immediate and appropriate corrective  
13 action.

14          145. Plaintiff was harmed.

15          146. Conduct by Palisades Charter High School's supervisors and/or agents  
16 was a substantial factor in causing Ms. Saghafi's harm.

17          147. As a proximate result of the said violation of the FEHA, Plaintiff has  
18 suffered mental anguish and emotional suffering all to her damage and in an amount  
19 according to proof at the time of trial.

20          148. As a further proximate result of said violation of the FEHA as aforeplead,  
21 Plaintiff has suffered a loss of tangible employment benefits including lost wages and  
22 benefits in an amount according to proof at the time of trial.

23          149. As a result of the said violation of the FEHA, Plaintiff was required to and  
24 did retain an attorney, and is accordingly entitled to an award of attorney's fees and  
25 costs of this lawsuit according to proof at the time of trial.



1           150. As a further proximate result of said violation of the FEHA, Plaintiff has  
2 incurred and will continue to incur medical expenses in an amount according to proof at  
3 the time of trial.

4           151. The aforepleaded conduct constitutes malice, oppression, or fraud, thereby  
5 entitling Plaintiff to an award of punitive damages. Plaintiff is informed and believes and  
6 thereon alleges that such conduct was taken by an officer or managing agent of  
7 Palisades Charter High School, or alternatively, authorized, ratified or approved by an  
8 officer or managing agent of Palisades Charter High School.

9                                   **FOURTH CAUSE OF ACTION**

10                           **Retaliation in Violation of the FEHA**

11                                   **Gov't Code § 12940(h)**

12                                   (b by Plaintiff against Palisades Charter High School, and DOES 1-10)

13           152. Plaintiff repeats and re-alleges all paragraphs of the preceding allegations  
14 herein and also incorporates said paragraphs as though set forth in full in this Cause of  
15 Action.

16           153. Plaintiff engaged in protected activity as stated generally herein, including  
17 but not limited to within paragraph 112 of this complaint.

18           154. Palisades Charter High School and its employees and agents subjected  
19 Plaintiff to adverse employment action(s) as stated generally herein this complaint,  
20 including but not limited to paragraph 113 of this complaint.

21           155. The protected activities alleged in this cause of action were a substantial  
22 motivating reason for Palisades Charter High School's adverse employment actions.

23           156. Plaintiff was harmed.

24           157. Palisades Charter High School's actions were a substantial factor in  
25 causing Plaintiff's harm.

1           158. As a proximate result of the said violation of the FEHA, Plaintiff has  
2 suffered mental anguish and emotional suffering all to her damage and in an amount  
3 according to proof at the time of trial.

4           159. As a further proximate result of said violation of the FEHA as aforepleaded,  
5 Plaintiff has suffered a loss of tangible employment benefits including lost wages and  
6 benefits in an amount according to proof at the time of trial.

7           160. As a result of the said violation of the FEHA, Plaintiff was required to and  
8 did retain an attorney, and is accordingly entitled to an award of attorney's fees and  
9 costs of this lawsuit according to proof at the time of trial.

10           161. The aforepleaded conduct constitutes malice, oppression, or fraud, thereby  
11 entitling Plaintiff to an award of punitive damages. Plaintiff is informed and believes and  
12 thereon alleges that such conduct was taken by an officer or managing agent of  
13 Palisades Charter High School, or alternatively, authorized, ratified or approved by an  
14 officer or managing agent of Palisades Charter High School.

15                                   **FIFTH CAUSE OF ACTION**

16           **Failure to Provide Timely Access to Employee Payroll and Personnel Records**  
17                                   **(Cal. Labor Code §§ 226, 432, and 1198.5)**

18                                   (b) Plaintiff against Palisades Charter High School, and DOES 1-10)

19           162. Plaintiff re-alleges and incorporates by reference the foregoing allegations  
20 as though set forth herein.

21           163. California *Labor Code* § 1174, subdivision (d), requires employers doing  
22 business in the State of California to maintain payroll records and to keep these records  
23 in a central location in the State of California.

24           164. California *Labor Code* § 226, subdivisions (b) and (c), require employers  
25 doing business in the State of California to provide current and former employees  
26 access to their payroll records.

1 165. California *Labor Code* § 432, subdivision (b), requires employers doing  
2 business in the State of California to afford current and former employees the right to  
3 inspect or copy records pertaining to their employment.

4 166. California *Labor Code* § 1198.5, et seq., provides current and former  
5 employees the right to inspect and receive a copy of their employee personnel records  
6 that the employer maintains relating to the employee's performance or to any grievance  
7 concerning the employee.

8 167. Plaintiff requested Palisades Charter High School to provide her access to  
9 her employee personnel file and payroll records, or copies of such documents on  
10 August 14, 2017, by Fed Ex. Defendants refused. On October 13, 2017, Plaintiff's  
11 counsel sent a letter via FedEx requesting said records. Later in October,  
12 approximately 40 pages were received, largely consisting of documents, such as her  
13 own transcripts. Payroll records and documents normally expected to be produced in  
14 an employee file, were absent.

15 168. Defendants failed to provide Plaintiff timely access to and/or copies of her  
16 payroll and personnel records in violation of California law as cited above.

17 169. As a result of the statutory violations, Plaintiff seeks damages, in an  
18 amount to be determined according to proof at trial, costs and attorneys' fees.

19 170. Based on the misconduct alleged herein, Plaintiff is entitled to attorneys'  
20 fees as provided by applicable law, including but not limited to California Labor Code §  
21 226, subdivisions (c) and (f).<sup>12</sup>

22 //

23 //

24 //

25 //

26 //

27 //

28 <sup>12</sup> Labor Code § 226(f) provides that "a failure by the employer to permit a current or  
29 former employee to inspect or copy records within the time limit set forth in subdivision  
30 (c) entitles the current or former employee or the Labor Commissioner to recover a  
seven-hundred-fifty-dollar (\$750) penalty from the employer.

1 **SIXTH CAUSE OF ACTION**

2 **Disparate Treatment (Discrimination) (Gov. Code § 12940(a))**

3 (by Plaintiff against Palisades Charter High School, and DOES 1-10)

4 171. Plaintiff repeats and re-alleges all paragraphs of the preceding allegations  
5 herein and also incorporates said paragraphs as though set forth in full in this Cause of  
6 Action.

7 172. Defendant Palisades Charter High School was an employer.

8 173. Plaintiff was an employee of Palisades Charter High School.

9 174. Palisades Charter High School, its employees, agents, supervisors,  
10 managers, and managing agents, subjected Plaintiff to adverse employment actions,<sup>13</sup>  
11 including but not limited to those stated in paragraph 113, and generally herein this  
12 complaint.

13 175. Plaintiff's race, religion, and national origin was/were a motivating reason  
14 and/or reasons for the adverse employment actions described in the preceding  
15 paragraph.

16 176. Plaintiff was harmed.

17 177. The adverse employment action[s] described in paragraph 113, and  
18 elsewhere in this Complaint, was/were a substantial factor[s] in causing Plaintiff's harm.

19 178. The aforepleaded conduct constitutes malice, oppression, or fraud, thereby  
20 entitling Plaintiff to an award of punitive damages. Plaintiff is informed and believes and  
21 thereon alleges that such conduct was taken by an officer or managing agent of  
22 Palisades Charter High School, or alternatively, authorized, ratified or approved by an  
23 officer or managing agent of Palisades Charter High School.

24  
25 <sup>13</sup> "While a complainant need not prove that the [discriminatory] animus was the sole  
26 motivation behind a challenged action, he must prove by a preponderance of evidence  
06/08/2018 that there was a 'causal connection' between the employee's protected status and the  
adverse employment decision." Mixon v. Fair Employment and Housing Com. (1987)  
192 Cal.App.3d 1306, 1317, quoting Teamsters v. United States (1977) 431 U.S. 324,  
335-336, fn. 15. Such a causal connection may be proven by temporal proximity.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43
- 44
- 45
- 46
- 47
- 48
- 49
- 50
- 51
- 52
- 53
- 54
- 55
- 56
- 57
- 58
- 59
- 60
- 61
- 62
- 63
- 64
- 65
- 66
- 67
- 68
- 69
- 70
- 71
- 72
- 73
- 74
- 75
- 76
- 77
- 78
- 79
- 80
- 81
- 82
- 83
- 84
- 85
- 86
- 87
- 88
- 89
- 90
- 91
- 92
- 93
- 94
- 95
- 96
- 97
- 98
- 99
- 100

## 2

## 3

## 4

5

6  
7  
8

9  
10  
11  
12  
13  
14

15  
16  
17  
18

19  
20

21  
22  
23

2.4  
2.5

1 High School refused to take any reasonable responsive action. Plaintiff was never  
2 asked for the names of witnesses. No investigation took place.<sup>14</sup>

3 184. As a proximate result of the wrongful conduct of the Defendants, and each  
4 of them, Plaintiff has suffered and has continued to sustain substantial losses in  
5 earnings, reputation, and other employment benefits in an amount according to proof at  
6 time of trial.

7 185. The aforepleaded conduct constitutes malice, oppression, or fraud, thereby  
8 entitling Plaintiff to an award of punitive damages. Plaintiff is informed and believes and  
9 thereon alleges that such conduct was taken by an officer or managing agent of  
10 Palisades Charter High School or alternatively, authorized, ratified or approved by an  
11 officer or managing agent of Palisades Charter High School.

12  
13 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of  
14 them, according to proof as follows:

- 15 1. For general damages;
- 16 2. For special damages;
- 17 3. Interest on compensatory damages at the legal rate from the date of injury  
18 or pursuant to Code of Civil Procedure Section 3291;
- 19 4. For other compensatory damages for emotional distress and other  
20 economic and non-economic losses;

21  
22 <sup>14</sup> Under California state anti-discrimination laws, an employer is required to investigate  
23 thoroughly a claim of harassment. "The affirmative and mandatory duty [under the  
24 FEHA] to ensure a discrimination-free work environment requires the employer to  
25 conduct a prompt investigation of a discrimination claim." American Airlines v. Superior  
26 Court (2003) 114 Cal.App.4th 881, 890. "Prompt investigation of a discrimination claim  
is a necessary step by which an employer meets its obligation to ensure a  
discrimination-free work environment." Northrop Grumman Corp. v. Workers'  
Compensation Appeals Board (2002) 103 Cal.App.4th 1021, 1035. "Whatever  
[remedial] course of action the employer chooses to take, an effective remedy is unlikely  
to take shape in the absence of a thorough investigation of the alleged acts of  
harassment." Wellpoint Health Networks v. Superior Court (1997) 59 Cal.App.4th 1021.

5. Punitive and exemplary damages;
6. Attorney fees;
7. Costs and expense of suit incurred herein;
8. Premium pay;
9. Penalties, including but not limited to waiting time penalties; and
10. For other just and proper relief including but not limited to that which is requested in this Complaint.

DATE: May 31, 2018

SIGNED: \_\_\_\_\_

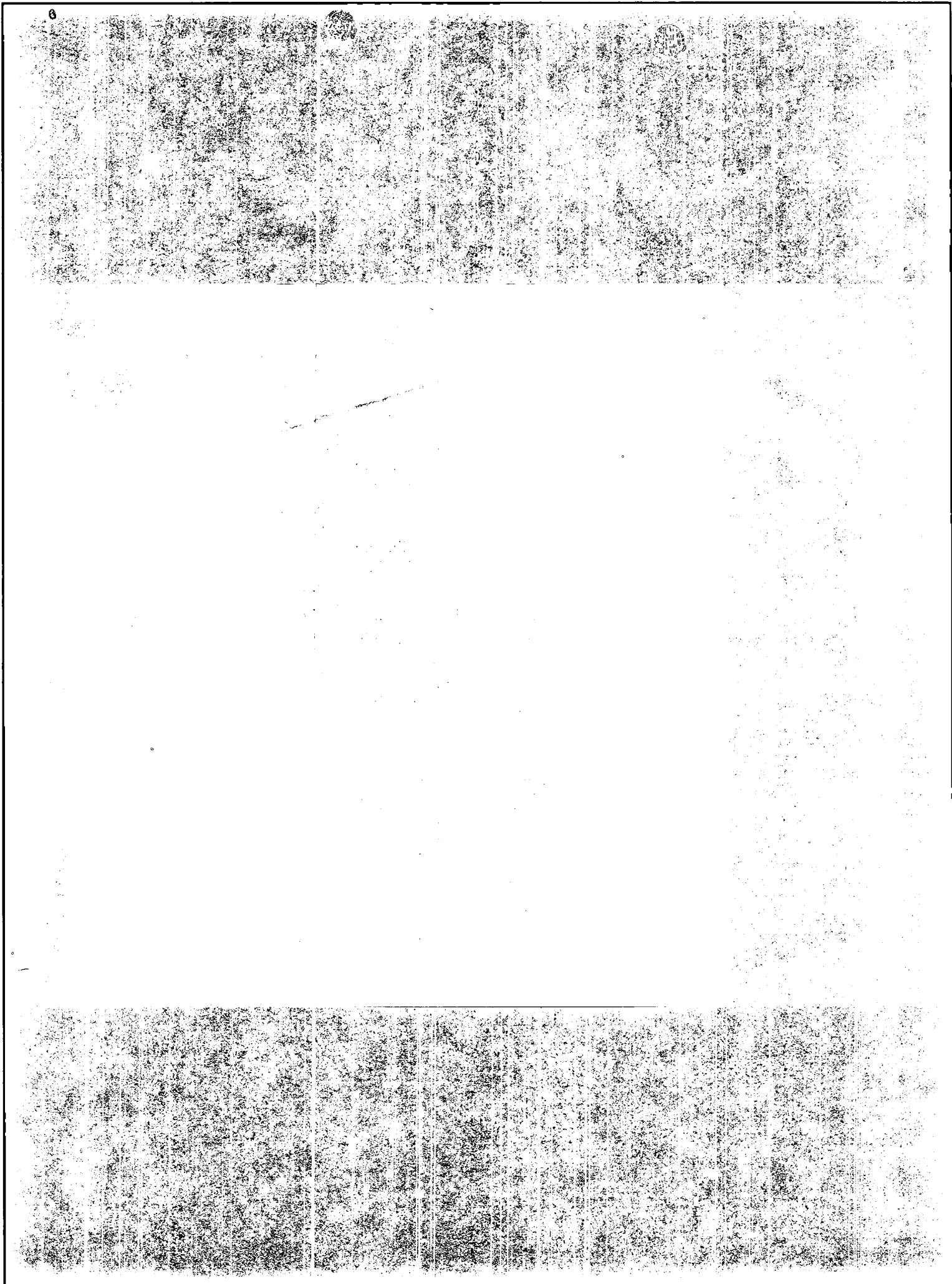
Ann A. Hull, Esq.  
LAW OFFICES OF ANN A. HULL, INC.  
Attorney for Plaintiff  
ROYA SAGHAFI

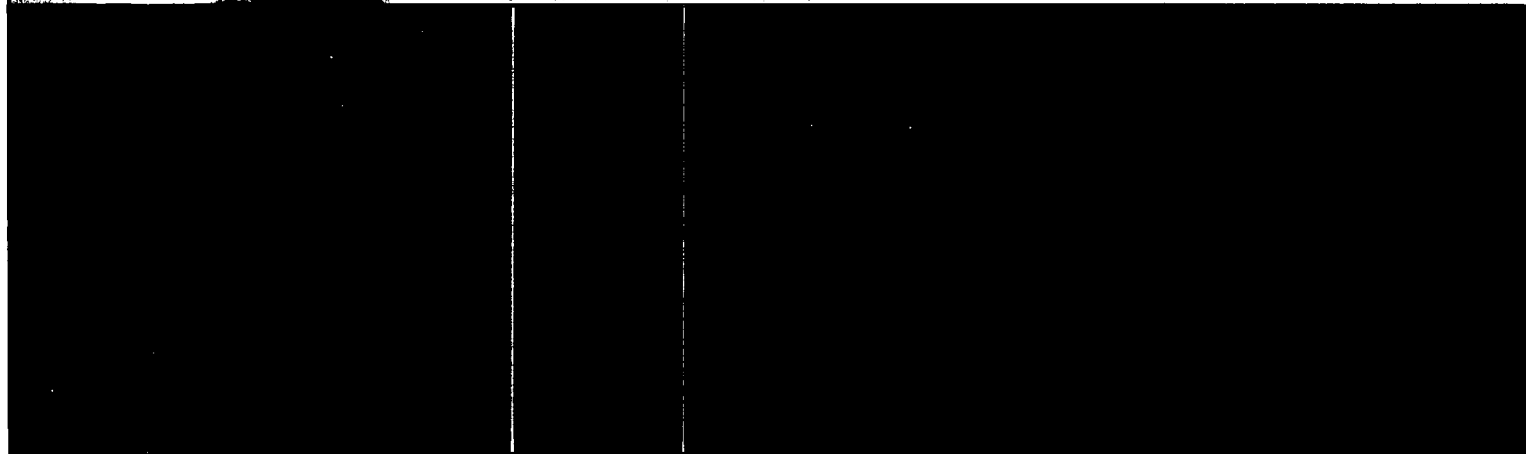
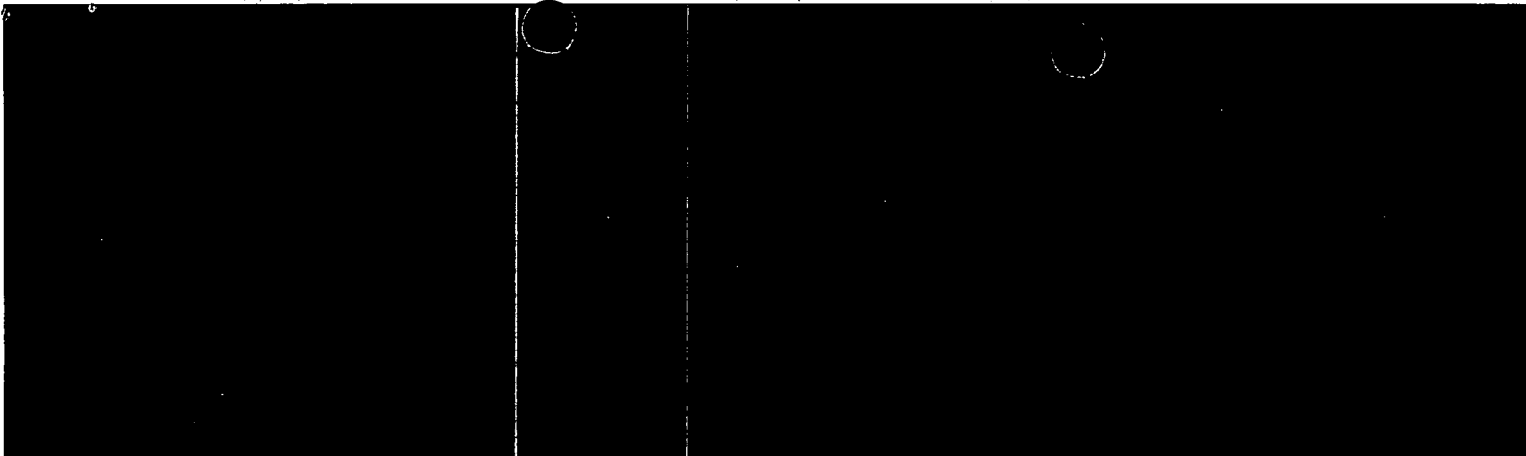
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
05/08/2018

# EXHIBIT “1”

06/04/2018

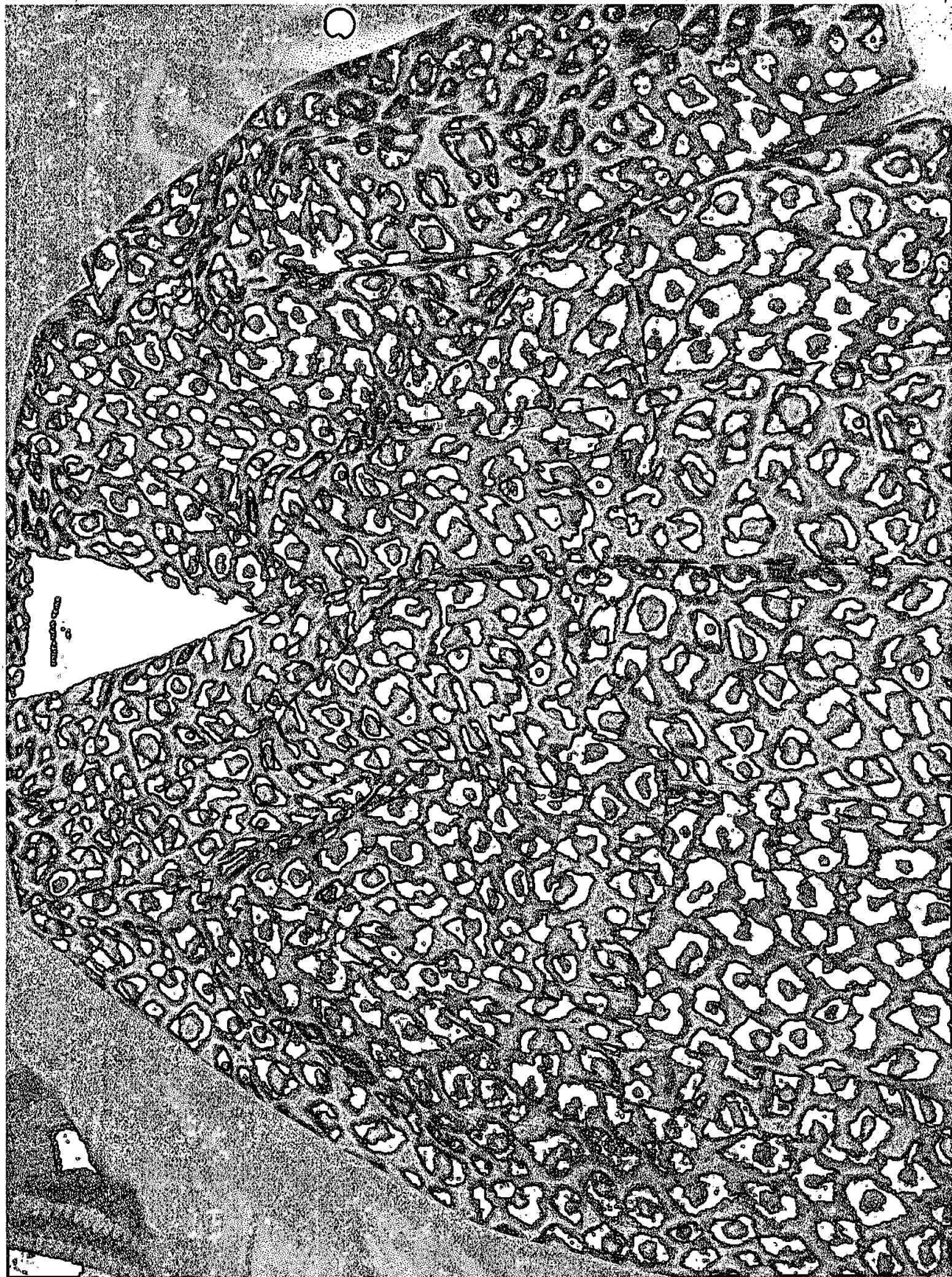








06/04/2



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Ann A. Hull, Esq. SBN: 252853 LAW OFFICES ANN A. HULL, INC. 21900 Burbank Blvd., 3rd Floor Woodland Hills, CA 91367 (818) 992-2924 TELEPHONE NO.: Roya Saghafi FAX NO.: (818) 322-1321 ATTORNEY FOR (Name):		FOR COURT USE ONLY  <b>FILED</b> Superior Court of California County of Los Angeles  JUN 01 2018  Sherri A. [Signature], Executive Officer/Clerk of Court By [Signature], Deputy [Signature] Robinson	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA. 90012 BRANCH NAME: Central		CASE NAME: Roya Saghafi vs. Palisades Charter High School, et al.	
<b>CIVIL CASE COVER SHEET</b> <input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$25,000) <input type="checkbox"/> <b>Limited</b> (Amount demanded is \$25,000 or less)		<b>Complex Case Designation</b> <input type="checkbox"/> <b>Counter</b> <input type="checkbox"/> <b>Joinder</b> Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
		CASE NUMBER: <b>BC 7 0 8 4 9 7</b>  JUDGE: DEPT:	

Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input checked="" type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation</b> (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---	--	---

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |  |  |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties   | d. <input type="checkbox"/> Large number of witnesses  |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> Substantial postjudgment judicial supervision  |
3. Remedies sought (check all that apply): a. ☒ monetary     b. ☒ nonmonetary; declaratory or injunctive relief     c. ☒ punitive
4. Number of causes of action (specify): **Seven (7)**
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: June 1, 2018  
 Ann A. Hull

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

SHORT TITLE **Roya Saghafi**

CASE NUMBER

**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

**Step 1:** After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

**Step 2:** In Column B, check the box for the type of action that best describes the nature of the case.

**Step 3:** In Column C, circle the number which explains the reason for the court filing location you have chosen.

**Applicable Reasons for Choosing Court Filing Location (Column C)**

- |  |  |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District. | 7. Location where petitioner resides.  |
| 2. Permissive filing in central district.  | 8. Location wherein defendant/respondent functions wholly.   |
| 3. Location where cause of action arose.   | 9. Location where one or more of the parties reside.   |
| 4. Mandatory personal injury filing in North District.                           | 10. Location of Labor Commissioner Office.   |
| 5. Location where performance required or defendant resides.                     | 11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury). |
| 6. Location of property or permanently garaged vehicle.                          |  |

RECEIVED

JUN 31 2018

FILING WINDOW

REC'D

JUN 01 2018

FILING WINDOW

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons (See Step 3 Above)
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1, 4, 11
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1, 4, 11
		<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11

06/04/2018

SHORT TITLE:

CASE NUMBER

Non-Personal Injury/Property  
Damage/Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
Civil Rights (08)	<input checked="" type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels _____	2, 6
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11



SHORT TITLE:

CASE NUMBER

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2, 8
	<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2
	<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8
Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect
	1, 2, 3	
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort
	1, 2, 8	
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case
1, 2, 8		
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 5, 11
	<input type="checkbox"/> A6160 Abstract of Judgment	2, 6
	<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9
	<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 8
	<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
	<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 8, 9
RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1, 2, 8
	<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
	<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
	<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2, 3, 9
	<input type="checkbox"/> A6123 Workplace Harassment	2, 3, 9
	<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2, 3, 9
	<input type="checkbox"/> A6190 Election Contest	2
	<input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender	2, 7
	<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2, 3, 8
	<input type="checkbox"/> A6100 Other Civil Petition	2, 9



SHORT TITLE: Roya Saghafi	CASE NUMBER
---------------------------	-------------

**Step 4: Statement of Reason and Address:** Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

<b>REASON:</b> <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.		<b>ADDRESS:</b> 17738 Collins Street	
<b>CITY:</b> Encino	<b>STATE:</b> CA	<b>ZIP CODE:</b> 91316	

**Step 5: Certification of Assignment:** I certify that this case is properly filed in the Central District District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: 6-1-18

  
 (SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

06/04/2018